

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

PARTNERS IN NUTRITION d/b/a)	
PARTNERS IN QUALITY CARE,)	Case No. 22-cv-02195-JRT-JFD
)	
Plaintiff,)	
v.)	
)	
MINNESOTA DEPARTMENT OF)	
EDUCATION; MONICA)	DECLARATION OF EMILY
HERRERA, in her individual)	ASP IN SUPPORT OF
capacity and official capacity as)	MOTION FOR TEMPORARY
Director of Nutrition Program)	RESTRAINING ORDER
Services; EMILY HONER, in her)	
individual capacity and official)	
capacity as Program Integrity Work)	
Manager and JEANETTE)	
JOHNSON-REED, in her individual)	
capacity and official capacity as)	
Supervisor of Compliance,)	
)	
Defendants.)	

I, Emily Asp state as follows:

1. I am an attorney of the law firm of Stinson LLP, counsel for PARTNERS IN NUTRITION d/b/a and PARTNERS IN QUALITY CARE (“PIQC”). I am admitted to practice in the State of Minnesota.

2. I make this second declaration in support of Plaintiffs’ Memorandum in Support of its Motion for a Temporary Restraining Order against Defendants.

3. Attached as **Exhibit C** is a true and correct copy of the transcript of proceedings on September 23, 2022, before the Minnesota Department of Education Review Panel. The subject of the September 23 hearing was review of the Minnesota

Department of Education's July 25, 2022, denial of all of PIQC's claims for reimbursement for the period January-May 2022.

4. Attached as **Exhibit D** is a true and correct copy of an unsolicited letter that counsel for the MDE-NPS sent to the Review Panel on September 26, 2022, after the September 23 hearing. The September 26 letter included additional arguments to the Review Panel and enclosed copies of two recent federal indictments.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: September 29, 2022

/s/Emily M. Asp

Emily M. Asp (#0399965)

STINSON LLP

50 South Sixth Street, Suite 2600

Minneapolis, MN 55402

Telephone: (612) 335-1500

emily.asp@stinson.com